

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DEVON MORRIS,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	<b>NO. 08-3842</b>
	:	
<b>TROY LEVI, ODEIDA DALMASI,</b>	:	
<b>STEPHEN SPAULDING, and</b>	:	
<b>the UNITED STATES OF AMERICA,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, this 19th day of May, 2011, upon careful and independent consideration of the defendants' motion for summary judgment (Doc. # 84), and all responses and replies thereto, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge Linda K. Caracappa (Doc. # 90), it is hereby ORDERED that:

1. The defendants' objections to the report and recommendation of the United States Magistrate Judge (Doc. # 91) are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED; and
3. Defendants' motion for summary judgment is DENIED.

**BY THE COURT:**

/s/ LAWRENCE F. STENGEL  
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LAWRENCE F. STENGEL, J.